







UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Aikleys: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.hspio.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/192,583	11/17/1998	TETSURO MOTOYAMA	5244-0084-2X	9978
22850	7590 07/26/2002			
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC FOURTH FLOOR 1755 JEFFERSON DAVIS HIGHWAY			EXAMINER	
			HO, CHUONG T	
ARLINGTON		• •	·	
	, , , , , , , , , , , , , , , , , , , ,		ART UNIT	PAPER NUMBER
			2664 DATE MAILED: 07/26/2002	19

Please find below and/or attached an Office communication concerning this application or proceeding.

1



## UNITED STATES ARTMENT OF COMMERCE Patent and Traden Ak Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR I	ATTORNEY DOCKET NO.
CONTROL NO.		PATENT IN REEXAMINATION	

EXAMINER

ART UNIT PAPER

19

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

## Attachment are:

- 1) Initialed IDS filed 06/01/00 (paper # 2) and IDS filed 04/09/01 (paper # 7).
- 2) Supplemental examiner's answer to clarify the issues on appeal.

CH July 17, 2002 Application/Control Number: 09/192,583 Page 2

Art Unit: 2664

## SUPPLEMENTAL EXAMINER'S ANSWER

1. In reply to the order returning undocketed appeal to examiner on 06/28/02 that states the Examiner's Answer failed to include the required section concerning the issues on appeal filed 12/21/01. The examiner now sends this supplemental examiner's answer to include the required section concerning the issues on appeal.

- 2. The claims 1-53 are pending for appeal.
- 3. Issues

The appellant's statement of the issues in the brief is not correct.

The appellant's statement failed to address claims 9, 19, 41, 45, and 48.

The corrected issues are as following:

- (1) Whether Claims 1,2, 3, 8, 12-17, 20, 23-25, 34-39, 42, 45, 46, 48, and 50-52 are unpatentable under 35 U.S.C. 103 (a) as being unpatentable over Kuwabara (U.S.Patent No. 6,065,136) in view of McCormick et al. (U.S.Patent No. 6,023,723);
- (2) Whether Claims 4-7, **9**, and 26-31 are unpatentable under 35 U.S.C.103 (a) over Kuwabara and McCormick et al. In view of Frantz (U.S.Patent-No. 6,073,166);
- (3) Whether Claims 10, 11, 21, 22, 32, 33, 43, 44, <u>45</u>, 47, 49, and 53 are unpatentable under 35 U.S.C. 103 (a) over Kuwabara and McCormick et al. in view of Miyachi (U.S.Patent No. 6,108,492);
- (4) Whether Claims 18 and 40 are anticipated under 35 USC 102 by Frantz (U.S.Patent No. 6,003,070);

Application/Control Number: 09/192,583

Page 3

Art Unit: 2664

(5) Whether Claims 19 and 41 are unpatentable under 35 U.S.C. 103 (a) over the

combined system of Kuwabara-McCormick.

4. Any inquiry concerning this communication or earlier communications from the examiner

should be direct to Chuong Ho whose telephone number is (703)306-4529.

Ch.

July 16, 2002

Dung C. Dinh Primary Examiner